

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY Ube D.C.
05 JUL -5 PM 4:40

HARDWOOD MARKETING REPORT,

Plaintiff,

v.

No. 05-2131 B

HARDWOOD PUBLISHING, INC.,

Defendant.

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

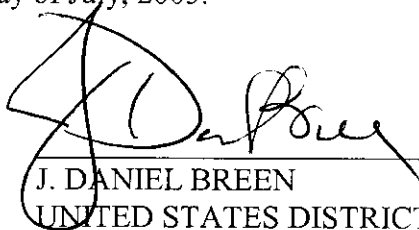
ORDER TO SHOW CAUSE WHY CASE SHOULD NOT BE DISMISSED

Plaintiff, Hardwood Marketing Report, filed this action on February 15, 2005. To date, the Court has received no notification that a summons has been issued or service has been made on the Defendant. According to Rule 4(m) of the Federal Rules of Civil Procedure,

[i]f service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, . . . on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time . . .

Fed. R. Civ. P. 4(m). As the 120-day period has passed, the Plaintiff is hereby ORDERED to show cause, within eleven (11) days of the entry hereof, why this action should not be dismissed for failure to effect service on the Defendant. Failure to respond within the time period permitted herein will result in dismissal without prejudice of the complaint.

IT IS SO ORDERED this 5th day of July, 2005.


J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 7-6-05

(2)



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Honorable J. Breen
US DISTRICT COURT